REMARKS

Claims 11, 13-15 and 16-17 stand rejected under 35 USC 103(a) as being unpatentable over Krohn, U.S. Patent No. 4,036,624 in view of Kamata, U.S. Patent No. 6,520,999. This rejection is respectfully traversed.

This rejection has been maintained from the previous Office Action. Applicants previously argued that elements 20-23 of Krohn do not function as a cooling mechanism. In response, the Examiner asserts that Krohn teaches that the bricks are spaced different distances from shell 12 and that the distance progressively increases in size to allow variable flows of air and thus greater cooling through convection and radiation. However, Applicants maintain that these bricks still do not function as a cooling mechanism. Rather, Krohn clearly teaches that the bricks are refractory insulating bricks (col. 10, line 56). As is well known in the art, a refractory brick is a block of refractory ceramic material used in lining furnaces and kilns. Refractory bricks are built primarily to withstand temperature, but do not serve to cool anything. The refractory bricks actually function to keep the furnace warm stepwise because the closer a part of the furnace is to the first brick 20, the higher the temperature of that part of the furnace. Thus, a refractory brick cannot be considered to correspond to a cooling mechanism.

However, even if we assume *arguendo* that the bricks 20-23 serve as a cooling mechanism, the bricks 20-23 are not separate from the frame section, as claimed. Applicants submit that if the Examiner considers that element 10 of Krohn corresponds to the claimed frame section and elements 20-23 correspond to the claimed cooling mechanism, he cannot also assert that the bricks are "separate" from the frame section 10. This is clearly evident by Fig. 1 which shows brick 20 resting on frame section 10.

Further, the bricks 20-23 are outside the furnace, whereas the claimed cooling mechanism is located within the furnace. Applicants note that in his response to applicants' previously submitted remarks, the Examiner asserted that he considers that the entire system is located in a room which may be called a heating furnace. However, this is contrary to the actual teachings of Krohn. The Examiner is not free to assume facts which directly contradict Krohn's

disclosure. Krohn teaches that element 10 is a refractory insulating support structure for a laboratory furnace (col. 10, lines 45-46). If the entire room was the furnace, that would mean that element 10 supports the room. That is obviously not the case. To argue that the entire room is the "furnace" is without support within Krohn. Further, claim 11 recites that the lens-moving mechanism moves the lens-holding mechanism to insert all or a part of the lens from the insertion port into an interior portion of the heating furnace. If one were to consider the entire room the heating furnace, Krohn could not provide a lens-moving mechanism to move the lens from the insertion portion to an interior portion of the heating furnace because it would already be in the heating furnace (i.e., the room).

The Examiner did not specifically respond to the other remarks submitted by the applicants. Specifically, the Examiner failed to address applicants' remarks that merely because Kamata may teach that the lens moves in a vertical direction is not sufficient motivation to one of ordinary skill in the art to have modified Krohn to provide structure to move the lens in a vertical direction. Thus, applicants renew their assertion that one of ordinary skill in the art would not have been motivated to modify Krohn in view of Kamata to move the lens in the vertical direction to insert all or a part of the lens from the insertion port into an interior portion of the heating furnace.

First, to modify Krohn in this manner would mean completely redesigning the entire structure of Krohn. Krohn accomplishes its objective with the provided structure. There would have been no reason to modify this structure merely to enable the lens to be inserted into the interior portion of the heating furnace in the vertical direction. Further, the Examiner has failed to provide a reason why one of ordinary skill in the art would have been motivated to do so. The Examiner has still failed to explain by reference to the evidence of record why it would have been desirous to modify Krohn to provide a lens moving mechanism which moves the lens in the vertical direction and is still relying on a circular argument which fails to set forth a *prima facie* case of obviousness.

Furthermore, Kamata discloses a lens moving system which has an opened insertion port for inserting the lens on the upper side of the vacuum vapor-deposition transfer device. Kamata

does not teach an openable insertion port for inserting the lens provided on the bottom surface of the frame section.

Still further, Kamata discloses a method for dyeing a plastic lens by using a printer electrically controlled and using a vacuum vapor-deposition transfer device. This method of dyeing is completely different from that of the claimed invention. The Examiner asserts that it would have been obvious to substitute the lens-moving mechanism 11, 12 of Kamata for the lens-moving mechanism of Krohn in order to move the lens in a vertical direction. However, the lens-moving mechanism disclosed in Kamata merely exists for approximating lens 14 to the colored layers 2. The half dyeing in Kamata is then achieved by the density gradient controlled by a PC, not with the lens-moving mechanism. In contrast, the lens-moving mechanism of the claimed invention is used for the half-dyeing process. Thus one of ordinary skill in the art would not have been motivated to look to Kamata to modify Krohn.

For at least these reasons, claims 11, 13-15 and 16-17 should be allowed and applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 279222001000.

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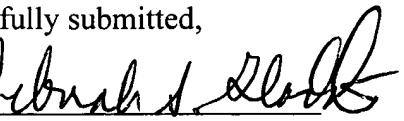
Respectfully submitted,

By 

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